



February 13, 2023

Hon. Representative Kavros DeGraw

Hon. Senator Rahman

Hon. Members of Planning and Development Committee

Re: HOUSE BILL 6294; AN ACT PROHIBITING THE REQUIREMENT OF A DONATION OF LAND AS A CONDITION OF SUBDIVISION APPROVAL

Dear Chairs and members of Planning and Development Committee:

Connecticut Association of Zoning Enforcement Officials (CAZEO) was founded in 1979 as the professional organization representing individuals employed as Zoning Enforcement Officers throughout the State of Connecticut. Currently, CAZEO has over 160 members which represent over 140 communities throughout Connecticut.

On behalf of CAZEO, we are writing to you to express our **opposition of House Bill 6294.**

The use of open space serves an important tool both for smart growth and environmental protection. The loss of the ability for a planning commission to include set aside of area for open space purposes is a mistake.

Under current law, a planning commission has 3 options when it comes to open space requirements and subdivisions:

- 1) A commission could require a percentage of development to be set aside for open space (could be for environmental, cultural, or recreational purposes)
- 2) A commission could develop a fee in lieu regulation which would enable an applicant to provide a monetary payment to the community pursuant to CGS 8-25 and 8-25b. Statute outlines how the value of said fees is determined with a percentage cap for maximum payments. Monies accepted by this fee are placed in a special account which could only be used for open space purposes (i.e., purchase of new areas or improvements to existing areas)

- 3) A commission could do nothing and waive the requirement of open space for a particular development.

A commission does not have to require open space based on the options previously outlined. Whether or not to require open space should be left for a particular commission to make based on case specific information. Taking away the authority for open space is not a solution. Education of a commission on the options for open space requirements is the preferred avenue for this subject not eliminating regulatory authority.

In closing, CAZEO asks that members of Planning and Development **please oppose House Bill 6294.**

Thank you for your attention to this matter.



Michael Glidden, CZEO CFM
President /Legislative Liaison
CAZEO